| | Application No. | Applicant(s) |
| --- | --- | --- |
| ***Notice of Allowability*** | 09/919,090 | COLLINS ET AL. |
| | Examiner | Art Unit | |
| | HUNG Q. PHAM | 2168 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *APPEAL BRIEF 05/25/06*.

2. ☒ The allowed claim(s) is/are *41,44 and 45*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None  of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of
    Paper No./Mail Date _____ .

    **Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**
1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *08/05/06* .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____ .

TIM VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

## EXAMINER'S AMENDMENT

- An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.


- Authorization for this examiner's amendment was given in a telephone interview with applicants' representative on 07/24/06.


- In the Claims (APPENDIX A) of the Appeal Brief filed on 05/25/06, please:

CANCEL Claims 30-33, 35-40 and 42.

REPLACE Claims 41, 44 and 45 by the clean version (without underlined and crossed mark) amended by examiner as below:


41.    *An apparatus for managing storage space, comprising:*

*a processor;*

*a storage device communicatively connected to the processor;*

*a memory module comprising logic instructions recorded in a computer-readable medium which, when executed by a processor, configure the processor to:*

*perform an action when an amount of available storage capacity on the storage device falls below a threshold, and to:*

*present, in a user interface, an indicia of an amount of data storage consumed by a plurality of categories of data files and one or more reallocation operations applicable to the plurality of categories of data files;*

*receive, from the user interface, a capacity threshold, a reallocation operation from the one or more reallocation operations presented and a category of data files from the plurality of categories of data files presented to which the reallocation operation is applicable; and*

*apply the received reallocation operation to the received category of data files when the*
*received category of data files consumes an amount of storage exceeding the received*
*capacity threshold,*

   *wherein the memory module further comprises logic instructions which, when*
*executed by the processor, configure the processor to:*

   *sort data files on the storage device into the plurality of categories of data files*
*based on at least one characteristic of the data files; and*

   *reallocate a portion of the data in the received category of data files when a storage*
*capacity consumed by the received category of data files exceeds the received capacity*
*threshold.*


44.    *The apparatus of claim 42, wherein the memory module further comprises logic*
*instructions which, when executed by a processor, configure the processor to:*

   *monitor a storage capacity consumed by a category of data files from the plurality of*
*categories of data files.*


45.    *The apparatus of claim 41, wherein the memory module further comprises logic*
*instructions which, when executed by a processor, configure the processor to perform*
*the reallocation operation selected from a group of operations consisting of deleting a*
*file, compressing a file, moving a file, and archiving a file.*

## REASONS FOR ALLOWANCE

- The following is an examiner's statement of reasons for allowance:

The closet available prior arts, USP 6,647,415, issued to Olarig et al. and "1001 Windows 98 Tips" authored by Jamsa teaches the technique of manage storage. However, as in claim 41, Olarig and Jamsa fail to teach or suggest the claim limitation *perform an action when an amount of available storage capacity on the storage device falls below a threshold, present, in a user interface, an indicia of an amount of data storage consumed by a plurality of categories of data files and one or more reallocation operations applicable to the plurality of categories of data files*, and *sort data files on the storage device into the plurality of categories of data files based on at least one characteristic of the data files*. Therefore, the invention is allowable over the prior arts of record for being directed to a combination of claimed elements including the providing steps as indicated above.

- Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG Q. PHAM whose telephone number is 571-272-4040. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIM T. VO can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system.  Status information for published applications

may be obtained from either Private PAIR or Public PAIR.  Status information for unpublished

applications is available through Private PAIR only.  For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you

would like assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HUNG Q PHAM
Examiner
Art Unit 2168

August 5, 2006

TIM VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100